GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Rules - Andhra Pradesh Excise (Grant of Licence of Selling by Bar and Conditions of Licence) Rules, 2005 - **Amendment to Rule 5, 6, 9, 10, and 13** – Orders – Issued.

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REVENUE (EXCISE-II) DEPARTMENT

G.O.Ms.No.468 **Dated:11.12.2015**
Read the following:

1. G.O. Ms. No. 997, Rev(Ex-II)Dept, Dated:24.05.2005.
2. G.O. Ms. No.390, Rev(Ex-II)Dept, Dated:18.06.2012.
3. G.O. Ms. No. 357, Rev(Ex-II)Dept, Dated:22.06.2013.
4. G.O. Ms. No. 264 Rev(Ex-II)Dept, Dated:22.06.2014.
5. G.O. Ms. No. 219 Rev(Ex-II)Dept, Dated:22.06.2015.
6. From the Commr.of Prohibition & Excise, A.P., Hyderabad, Cr.No.2997/2015/CPE/E3, Dt:25.11.2015.

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O R D E R:

The following Notification will be published in an Extra-ordinary Issue of the Andhra Pradesh Gazette, dated the 15th December, 2015.

NOTIFICATION

In exercise of the powers conferred by section 72 read with sections 17, 28 and 29 of the Andhra Pradesh Excise Act, 1968 (Andhra Pradesh Act 17 of 1968), the Governor of Andhra Pradesh hereby makes the following amendments to the Andhra Pradesh Excise (Grant of Licence of Selling by Bar and Conditions of Licence) Rules, 2005 issued in G.O.Ms.No.997, Revenue(Ex.II)Department, dated the 24th May, 2005 and published in the Andhra Pradesh Gazette No. 17 (Extraordinary) Rules Supplement to part II, dated 24.05.2005 and as amended from time to time:

AMENDMENTS

(1) In the said Rules, in Rule 5 for sub-rule (4), the following shall be substituted namely, -

"Application in Form-1B shall be accompanied by Challan of Rs.2,00,000 /- towards non-refundable application fee".

(2) In Rule 6, in sub-rule (1) in item (i), -

(i) for clause (a), the following shall be substituted namely, -

" (a) A minimum plinth area of 200 Sq. Meters, out of which a minimum of 100 Sq. Meters. shall be RCC Roof Structure.

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Provided that if the plinth area exceeds 300 Sq. Meters, shall attract an Additional Licence Fee @ 10% of Annual Licence Fee for every 100 Sq. Meters or part thereof ".

(ii) for clause (d), the following shall be substituted namely, -

" (d) Facility of kitchen with minimum plinth area of 15 Sq. Meters for cooking and serving complete meals of good quality to the consumers as licensed by local authority ".

(iii) in the Explanation thereunder in item (a), after the word "Church", the following shall be inserted namely, -

"established and managed by a registered Christian Organization/Society".

(3) For "Rule 9" the following shall be substituted namely, -

9. **Period of Licence and commencement of business:**

Every Bar shall be valid for one year commencing from 1st January ending with 31st December of the year, subject to payment of licence fee as prescribed.

Provided that the licence issued on or after the 1st January shall be valid up to the 31st December of the year.

Provided further that a licence granted for a part of the licence period shall be valid for such period as may be specified by the licensing authority.

Provided also that every licensee shall commence his business from 1st January, or such other date as may be specified in the licence and shall keep the Bar open every day during the hours fixed till the expiry of the licence period with sufficient stock of liquor unless the closure of the Bar is ordered by the competent authority for the period specified. Before issue of a licence, the licencee shall execute a counterpart agreement in Form-4B on the stamp paper of requisite value as per the provisions of the Indian Stamp Act, 1899.

(4) In Rule10, -

(i) sub-rule (2) shall be omitted.

(ii) for sub-rule (3) (a), the following shall be substituted namely, -

" (3) (a) The annual Licence Fee shall be paid before commencement of the licence period in one lump sum or in two equal instalments or in a manner as notified from time to time.

Contd..3.

When the licence is issued before 1st January, the 1st Instalment, i.e., half of the annual licence fee shall be paid into Government treasury through a challan before the issue of licence along with a Bank Guarantee from a Scheduled Bank situated in Andhra Pradesh in Form-3B or Fixed Deposit receipt for an amount equal to half of the annual licence fee. The Bank Guarantee shall be valid for a period of seven months. The 2nd Instalment of the annual licence fee i.e., half of the annual licence fee shall be remitted into the Government Treasury on or before 20th June of the same year, failing which the licence shall stand cancelled automatically on the expiry of such date and subject to the conditions prescribed in Form-2B.

Provided that the licencees in Form-2B shall be permitted to pay 1/3rd of the annual licence fee, together with a Bank Guarantee issued by a Scheduled Bank situated in Andhra Pradesh in Form – 3B1 or Fixed Deposit Receipt for an amount equal to 2/3rd of the annual licence fee. The 2nd and 3rd instalments of the annual licence fee of 1/3rd each shall be remitted on or before 20th March and 20th June respectively, subject to payment of interest @ 18% per annum on 1/6th of the annual licence fee from 1st January to 20th March of the licence period.

(b) The annual licence fee in respect of licences granted during the currency of the licence period, shall be on the following scales:-

(i) Licence granted between 1st January and 31st March: Full annual Licence Fee.

(ii) Licence granted between 1st April and 30th June : 3/4th of annual Licence Fee.

iii) Licence granted between 1st July and 30th September: ½ of the annual Licence Fee

iv) Licence granted between 1st October and 31st December : 1/4th of annual Licence Fee.

Provided that if the licence is granted between 1st January and 31st March, the annual licence fee shall be paid in accordance with the provisions of sub-rule 3(a).

Provided further that if the licence is granted between 1st April and 30th June, 50% of the licence fee shall be remitted before the issue of licence together with a Fixed Deposit Receipt or a Bank Guarantee issued by a Scheduled Bank situated in Andhra Pradesh in Form – 3B for the remaining 50% of the licence fee. If the licence is granted between 1st July to 31st December, the prescribed licence fee shall be paid in one lump sum before the issue of licence".

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(5) Rule 10(A) shall be omitted.

(6) In Rule 13, in sub-rule (2), -

(i) for clause (a), the following shall be substituted namely, -

" (a) No Change or alteration of the licensed premises shall be made during the licence period without the prior approval of the Deputy Commissioner.

Provided that such change or alteration may be permitted for valid reasons by the Deputy Commissioner subject to payment of an alteration fee of Rs.1,00,000/- ".

(ii) clause (b) shall be omitted.

(iii) clause (c) shall be omitted.

2. This Notification shall come into force with effect from 01.01.2016.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

AJEYA KALLAM,
SPECIAL CHIEF SECRETARY TO GOVERNMENT

To
The Commissioner of Printing and Stationery and Stores Purchase,
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SECTION OFFICER